



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/009,684	12/13/2001	Takeshi Ban	1422-0510P	8195

2292 7590 10/24/2003

BIRCH STEWART KOLASCH & BIRCH
PO BOX 747
FALLS CHURCH, VA 22040-0747

EXAMINER

DOUYON, LORNA M

ART UNIT	PAPER NUMBER
----------	--------------

1751

DATE MAILED: 10/24/2003

8

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/009,684

Applicant(s)

BAN ET AL.

Examiner

Lorna M. Douyon

Art Unit

1751

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 December 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

Art Unit: 1751

Abstract

1. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a **single paragraph** on a separate sheet within the range of **50 to 150 words**. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Art Unit: 1751

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5. Claims 1-3 rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Saito et al. (US Patent No. 4,869,843).

Saito teaches a process for preparing a granular detergent composition comprising anionic surfactant, zeolite, sodium carbonate and sodium sulfate having a bulk density of 0.65 g/cm³ (650 g/l) wherein the product is passed through a screen having an aperture of 1 mm to remove coarse granules having a diameter of 1 mm or above after the grinding and granulation and wherein the

Art Unit: 1751

granular detergent having a desired bulk density and granule size can be obtained by controlling the grinding/granulation conditions (such as kind of the granulating machine, granulation temperature, granulation time and kind of the granulation binder) and the aperture of the screen through which the granules are passed after the granulation and recycling of the coarse granules or by controlling the amount, bulk density and granule size of the water-soluble, crystalline salt to be dry-blended (see Example 1, col. 11, line 45 to col. 13, line 54). Even though Saito does not explicitly disclose the variance of dropping rate, inserting pressure, dropping ratio, index K, degree of sphericity and tensile strength of a powder layer as those recited, it would be inherent in the granular detergent composition of Saito to exhibit the same characteristics as those recited because same process and ingredients have been utilized. Hence, Saito anticipates the claims.

6. Claims 1-3 rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Nakamura et al. (US Patent No. 4,970,017), hereinafter "Nakamura".

Nakamura teaches a granular detergent composition having a bulk density of 0.85 g/cc (850 g/l) which comprises sodium alpha-olefin sulfonate, type A zeolite, sodium silicate powder, potassium carbonate and sodium carbonate, the composition having a 40 degree angle of repose, 0.8 sphericity, dust generation amount of 0.2 and a particle size distribution as shown in Table 1, the composition was prepared by mixing the ingredients in a kneader to form a sheet, pelletizing the sheet in a pelleter and coating the composition (see Example 1, col. 9, line 45 to col.13, line

Art Unit: 1751

7). Even though Nakamura does not explicitly disclose the variance of dropping rate, inserting pressure, dropping ratio, index K and tensile strength of a powder layer as those recited, it would be inherent in the granular detergent composition of Nakamura to exhibit the same characteristics as those recited because same process and ingredients have been utilized. Hence, Nakamura anticipates the claims.

7. Claims 1-3 rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Jolicoeur (US Patent No. 5,178,798).

Jolicoeur teaches a granular detergent composition which comprises anionic surfactants, sodium aluminosilicate and sodium carbonate wherein the composition is prepared by forming a doughy mass, granulating the doughy mass using sodium aluminosilicate powder and the resulting detergent granules are screened to select a through 14 Tyler mesh (about 1180 microns) on 100 Tyler mesh (150 microns) particle size cut, and the through 14 on 100 Tyler mesh particle size cut has a bulk density of 700 g/l (see Example 1, col. 13, line 1 to col. 14, line 2). Even though Jolicoeur does not explicitly disclose the variance of dropping rate, inserting pressure, dropping ratio, index K, degree of sphericity and tensile strength of a powder layer as those recited, it would be inherent in the granular detergent composition of Jolicoeur to exhibit the same characteristics as those recited because same process and ingredients have been utilized. Hence, Jolicoeur anticipates the claims.

Art Unit: 1751

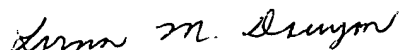
8. The prior art made of record and not relied upon is considered pertinent to applicants' disclosure. These references are considered cumulative to or less material than those discussed above.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lorna M. Douyon whose telephone number is (703) 305-3773. The examiner can normally be reached on Mondays-Fridays from 8:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Yogendra Gupta, can be reached on (703) 308-4708. The fax phone number for the organization where this application or proceeding is assigned is **(703) 872-9306**.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center receptionist whose telephone number is (703) 308-0661.

October 20, 2003



Lorna M. Douyon
Primary Examiner
Art Unit 1751